

# EXHIBIT “A”



05/17/2022

CT Log Number 541595396

## Service of Process Transmittal Summary

**TO:** Sirena Barlow  
 YELLOW CORPORATION  
 11500 OUTLOOK ST STE 400  
 OVERLAND PARK, KS 66211-1804

**RE:** Process Served in New York

**FOR:** YRC Inc. (Domestic State: DE)

### ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

**TITLE OF ACTION:** Re: J.B., an infant by his Mother and Natural Guardian, TAMARA PEIROVA, and TAMARA PEIROVA, Individually // To: YRC Inc.

**DOCUMENT(S) SERVED:** Summons, Complaint, Verification, Notice

**COURT/AGENCY:** Queens County Supreme Court, NY  
 Case # 7099092022

**NATURE OF ACTION:** Personal Injury - Vehicle Collision - 12/15/2021

**PROCESS SERVED ON:** C T Corporation System, New York, NY

**DATE/METHOD OF SERVICE:** By Process Server on 05/17/2022 at 10:31

**JURISDICTION SERVED:** New York

**APPEARANCE OR ANSWER DUE:** Within 20 days after service (Document(s) may contain additional answer dates)

**ATTORNEY(S)/SENDER(S):** Nissim Abaev  
 ABAEV LAW FIRM, PLLC  
 1 Linden Place, Suite #405  
 Great Neck, NY 11021  
 718-207-7671

**ACTION ITEMS:** CT has retained the current log, Retain Date: 05/18/2022, Expected Purge Date: 05/23/2022

Image SOP

Email Notification, Tracy Vandover tracy.vandover@yrcw.com

Email Notification, Danna Cannon danna.cannon@yrcw.com

Email Notification, Joseph Pec joseph.pec@yrcw.com

Email Notification, Nancy Allison nancy.allison@yrcw.com

Email Notification, Chris Garcia chris.garcia@yrcw.com

Email Notification, Sirena Barlow sirena.barlow@yrcw.com

Email Notification, Denise Williams denise.williams@myyellow.com

Email Notification, Lynn Trevino-Legler lynn.trevinolegler@myyellow.com



**CT Corporation  
Service of Process Notification**

05/17/2022

CT Log Number 541595396

**REGISTERED AGENT CONTACT:**

C T Corporation System  
28 Liberty Street  
New York, NY 10005  
866-331-2303  
CentralTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

## PROCESS SERVER DELIVERY DETAILS

**Date:** Tue, May 17, 2022  
**Server Name:** NY-NYC DROPOFFPROCESSSERVER

Entity Served	YRC INC.
Case Number	7099092022
Jurisdiction	NY

Inserts		



**FILED: QUEENS COUNTY CLERK 05/09/2022 10:51 AM**

INDEX NO. 709909/2022

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 05/09/2022

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

\_\_\_\_\_  
J.B., an infant by his Mother and Natural Guardian,  
TAMARA PEIROVA, and TAMARA PEIROVA,  
Individually,

Plaintiffs,

-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and  
RAYMOND PINEIRO GRACI,

Defendants.

INDEX NO.

Plaintiffs designate Queens  
County as the place of trial.

**S U M M O N S**


The basis of venue is the  
the Plaintiffs' residence  
70-28 175<sup>th</sup> Street  
Fresh Meadows, New York 11365

**To the above-named Defendants:**

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer on the Plaintiffs' attorneys within twenty [20] days after the service of this summons, exclusive of the day of service of this summons, or within thirty [30] days after service of this summons is complete if this summons is not personally delivered to you within the State of New York.

In case of your failure to answer this summons, a judgment by default will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated: Great Neck, New York  
May 9, 2022



\_\_\_\_\_  
**By: Nissim Abaev, Esq.**  
**ABAEV LAW FIRM, PLLC**  
Attorneys for Plaintiffs  
**J.B. and TAMARA PEIROVA**  
1 Linden Place, Suite #405  
Great Neck, New York 11021  
(718) 207-7671

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NYSCEF DOC. NO. 1

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**DEFENDANTS:**

**YRC INC.**

*Via Secretary of State*

**NEW PENN MOTOR EXPRESS, INC.**

*Via Secretary of State*

**RAYMOND PINEIRO GRACI**

162 Elmora Avenue

Elizabeth, New Jersey 07202

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NYSCEF DOC. NO. 1

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

INDEX NO. \_\_\_\_\_

\_\_\_\_\_  
J.B., an infant by his Mother and Natural Guardian,  
TAMARA PEIROVA, and TAMARA PEIROVA,  
Individually,

**VERIFIED COMPLAINT**

Plaintiffs,

-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and  
RAYMOND PINEIRO GRACI,

Defendants.

\_\_\_\_\_  
Plaintiffs, **J.B., an infant by his Mother and Natural Guardian, TAMARA PEIROVA and TAMARA PEIROVA, individually**, by their attorneys, **ABAEV LAW FIRM, PLLC**, as and for their Verified Complaint, respectfully alleges, upon information and belief:

1. The Infant Plaintiff, J.B., at all times herein mentioned was and still is a resident of the County of Queens, and the State of New York.
2. The Plaintiff, TAMARA PEIROVA, at all times herein mentioned was and still is a resident of the County of Queens, and the State of New York.
3. The Defendant, YRC INC., at all times herein mentioned, was and still is a foreign business corporation authorized to do business in the State of New York.
4. The Defendant, YRC INC., at all times herein mentioned was and still is a foreign corporation organized and existing in the State of Delaware.
5. The Defendant, YRC INC., at all times herein mentioned, conducted and carried on business in the County of Johnson, City of Leawood and State of Kansas.

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6. At all times herein mentioned, the Defendant, YRC INC., transacted business within the State of New York.

7. At all times herein mentioned, the Defendant, YRC INC., expected or should reasonably have expected its acts to have consequences in the State of New York.

8. At all times herein mentioned, the Defendant, YRC INC., derived substantial revenue from interstate or international commerce.

9. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned, was and still is a foreign business corporation authorized to do business in the State of New York.

10. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned was and still is a foreign corporation organized and existing in the State of Pennsylvania.

11. The Defendant, NEW PENN MOTOR EXPRESS, INC., at all times herein mentioned, conducted and carried on business in the County of Johnson, City of Leawood, and State of Kansas.

12. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., transacted business within the State of New York.

13. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., expected or should reasonably have expected its acts to have consequences in the State of New York.

14. At all times herein mentioned, Defendant, NEW PENN MOTOR EXPRESS, INC., derived substantial revenue from interstate or international commerce.

15. The Defendant, RAYMOND PINEIRO GRACI, at all times herein mentioned was



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and still is a resident of the County of Union and the State of New Jersey.

16. On or about December 15, 2021, Defendant, YRC INC., was the owner of a certain automobile, bearing the Kansas license plate number 2848994.

17. On or about December 15, 2021, Defendant, YRC INC., was the registered owner of a certain automobile, bearing the Kansas license plate number 2848994.

18. On or about December 15, 2021, Defendant, YRC INC., was the titled owner of a certain automobile, bearing the Kansas license plate number 2848994.

19. On or about December 15, 2021, Defendant, YRC INC., was the lessee of a certain automobile, bearing the Kansas license plate number 2848994.

20. On or about December 15, 2021, Defendant, YRC INC., was the lessor of a certain automobile, bearing the Kansas license plate number 2848994.

21. On or about December 15, 2021, Defendant, YRC INC., maintained a certain automobile, bearing the Kansas license plate number 2848994.

22. On or about December 15, 2021, Defendant, YRC INC., controlled a certain automobile, bearing the Kansas license plate number 2848994.

23. On or about December 15, 2021, Defendant, YRC INC., repaired a certain automobile, bearing the Kansas license plate number 2848994.

24. On or about December 15, 2021, Defendant, YRC INC., supervised a certain automobile, bearing the Kansas license plate number 2848994.

25. On or about December 15, 2021, Defendant, YRC INC., inspected a certain automobile, bearing the Kansas license plate number 2848994.

26. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the owner of a certain automobile, bearing the Kansas license plate number 2848994.

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27. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the registered owner of a certain automobile, bearing the Kansas license plate number 2848994.

28. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the titled owner of a certain automobile, bearing the Kansas license plate number 2848994.

29. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the lessee of a certain automobile, bearing the Kansas license plate number 2848994.

30. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., was the lessor of a certain automobile, bearing the Kansas license plate number 2848994.

31. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., maintained a certain automobile, bearing the Kansas license plate number 2848994.

32. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., controlled a certain automobile, bearing the Kansas license plate number 2848994.

33. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., repaired a certain automobile, bearing the Kansas license plate number 2848994.

34. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., supervised a certain automobile, bearing the Kansas license plate number 2848994.

35. On or about December 15, 2021, Defendant, NEW PENN MOTOR EXPRESS, INC., inspected a certain automobile, bearing the Kansas license plate number 2848994.

36. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was the operator of a certain automobile, bearing the Kansas license plate number 2848994.

37. On or about December 15, 2021, the automobile bearing Kansas license plate

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number 2848994 was being operated by Defendant, RAYMOND PINEIRO GRACI, with the express knowledge, consent and/or on the business of his owners.

38. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was an employee by Defendant YRC INC.

39. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was an employee by Defendant NEW PENN MOTOR EXPRESS, INC.

40. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was operating a certain automobile, bearing the Kansas license plate number 2848994 within the scope of his employment with Defendant, YRC INC.

41. On or about December 15, 2021, Defendant, RAYMOND PINEIRO GRACI, was operating a certain automobile, bearing the Kansas license plate number 2848994 within the scope of his employment with Defendant, NEW PENN MOTOR EXPRESS, INC.

42. On or about December 15, 2021, Infant Plaintiff, J.B., was a lawful bicyclist.

43. On or about December 15, 2021, the vehicle owned by the Defendants YRC INC. and NEW PENN MOTOR EXPRESS, INC., and operated by the Defendant RAYMOND PINEIRO GRACI, came in contact with the Infant Plaintiff, J.B. on Lefferts Boulevard at or near its intersection with Abingdon Road, in the County of Queens and State of New York.

44. On or about December 15, 2021, the Defendants, YRC INC. and NEW PENN MOTOR EXPRESS, INC., negligently entrusted their vehicle to the Defendant, RAYMOND PINEIRO GRACI, who the Defendants YRC INC. and NEW PENN MOTOR EXPRESS, INC., knew or should have known was incompetent and untrained to operate the vehicle belonging to the Defendant, YRC INC. and NEW PENN MOTOR EXPRESS, INC.

45. Solely as a result of the Defendants' negligence, carelessness, and recklessness the

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Infant Plaintiff, J.B., was caused to suffer severe and serious personal injuries to mind and body, and further, that the Infant Plaintiff, was subjected to great physical pain and mental anguish.

46. The aforesaid occurrence was caused by the negligence of the Defendants without any culpable conduct on the part of the Infant Plaintiff.

47. As a result of the foregoing, the Infant Plaintiff, J.B., sustained serious personal injuries as defined in Section 5102(d) of the Insurance Law of the State of New York, and/or economic loss greater than basic economic loss as defined in Section 5102(a) of the Insurance Law of the State of New York.

48. This action falls within one or more of the exceptions set forth in Section 1602 of the Civil Practice Law and Rules.

49. That the doctrine of *Respondeat Superior* applies to this case.

50. Due to Defendants' negligence, Infant Plaintiff, J.B. is entitled to damages.

**AS AND FOR A FIRST CAUSE OF ACTION**  
**ON THE BEHALF OF PLAINTIFF TAMARA PEIROVA**

51. That at all times hereinafter mentioned, Plaintiff, TAMARA PEIROVA, repeats, reiterates and realleges each and every paragraph of the within Complaint with the same force and effect as if set forth herein at length.

52. That at all times hereinafter mentioned, Plaintiff, TAMARA PEIROVA was the lawful mother and natural guardian of the Infant Plaintiff, J.B., and as such said Plaintiff, TAMARA PEIROVA, was entitled to the society, services, and consortium of the said Infant Plaintiff, J.B.

53. By reason of the negligence, the above-mentioned of the Defendants as aforesaid, his agents, servants, and/or employees as aforesaid, the Plaintiff was deprived of the aforesaid

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society, services, and consortium of the Infant Plaintiff, J.B., and shall forever be deprived of said society, services and consortium.

54. That by reason of the foregoing negligence, the above-mentioned on the part of the Defendants, the Plaintiff, TAMARA PEIROVA was damaged in an amount exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction as against the Defendants, YRC INC., NEW PENN MOTOR EXPRESS, INC., and RAYMOND PINEIRO GRACI.

**WHEREFORE**, the Plaintiffs J.B. and TAMARA PEIROVA, demands:

- a. Judgment awarding damages in an amount exceeding the monetary jurisdictional limits of all lower courts which would otherwise have jurisdiction;
- b. Interest, the costs and disbursements of this action, together with such other and further relief as to this Court seems just and proper.

Dated: Great Neck, New York  
May 9, 2022



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**By: Nissim Abaev, Esq.**  
**ABAEV LAW FIRM, PLLC**  
Attorneys for Plaintiffs  
**J.B. and TAMARA PEIROVA**  
1 Linden Place, Suite #405  
Great Neck, New York 11021  
(718) 207-7671

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

J.B., an infant by his Mother and Natural Guardian TAMARA  
PEIROVA, and TAMARA PEIROVA, Individually,

INDEX NO.

Plaintiffs,

-against-

**ATTORNEY'S  
VERIFICATION**

YRC INC., NEW PENN MOTOR EXPRESS, INC., and  
RAYMOND PINEIRO GRACI,

Defendants.

Nissim Abaev, an attorney duly admitted to practice law in the State of New York, makes  
the following affirmation under the penalty of perjury:

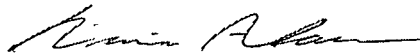
I am of the firm of **ABAEV LAW FIRM, PLLC**, the attorneys of record for the Plaintiffs,

I have read the foregoing Complaint and know the contents thereof; the same is true to my  
own knowledge except as to the matters therein stated to be alleged on information and belief  
and that as to those matters, I believe them to be true.

This verification is made by affirmant and not by Plaintiffs, because they are not in the  
County of Nassau, which is the County where your affirmant maintains offices.

The grounds of affirmant's belief as to all matters not stated upon affirmant's knowledge  
are correspondence had with the said Plaintiffs, information contained in the said Plaintiffs' file,  
which is in affirmant's possession, and other pertinent data relating thereto.

Dated: Great Neck, New York  
May 9, 2022



Nissim Abaev, Esq.

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

Index No.

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J.B. an infant by his Mother and Natural Guardian TAMARA PEIROVA, and TAMARA  
PEIROVA, Individually,

Plaintiffs,

-against-

YRC INC., NEW PENN MOTOR EXPRESS, INC., and RAYMOND PINEIRO GRACI,

Defendants.


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**SUMMONS and VERIFIED COMPLAINT**

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Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed documents are not frivolous.

Dated: Great Neck, New York  
May 9, 2022



\_\_\_\_\_  
**By: Nissim Abaev, Esq.**  
**ABAEV LAW FIRM, PLLC**  
Attorneys for Plaintiffs  
**J.B. and TAMARA PEIROVA**  
1 Linden Place, Suite #405  
Great Neck, New York 11021  
(718) 207-7671

**SUPREME COURT OF THE STATE OF NEW YORK**  
**COUNTY OF New York**

-----X  
J.B an Infant by his Mother and Natural Guardian  
Tamara Peirova and Tamara Peirova, Individually

Plaintiff/Petitioner,

- against -

Index No.709909/2022

YRC INC., NEW PENN MOTOR EXPRESS,  
INC and Raymond Pinero Graci

Defendant/Respondent.

-----X

**NOTICE OF ELECTRONIC FILING**  
**(Mandatory Case)**  
(Uniform Rule § 202.5-bb)

**You have received this Notice because:**

1) The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts E-filing system ("NYSCEF"), and

2) You are a Defendant/Respondent (a party) in this case.

● **If you are represented by an attorney:**

Give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

● **If you are not represented by an attorney:**

**You will be served with all documents in paper and you must serve and file your documents in paper, unless you choose to participate in e-filing.**

**If you choose to participate in e-filing, you must have access to a computer and a scanner or other device to convert documents into electronic format, a connection to the internet, and an e-mail address to receive service of documents.**

The **benefits of participating in e-filing** include:

- serving and filing your documents electronically
- free access to view and print your e-filed documents
- limiting your number of trips to the courthouse
- paying any court fees on-line (credit card needed)

**To register for e-filing or for more information about how e-filing works:**

- visit: [www.nycourts.gov/efile-unrepresented](http://www.nycourts.gov/efile-unrepresented) or
- contact the Clerk's Office or Help Center at the court where the case was filed. Court contact information can be found at [www.nycourts.gov](http://www.nycourts.gov)



To find legal information to help you represent yourself visit [www.nycourthelp.gov](http://www.nycourthelp.gov)

**Information for Attorneys  
(E-filing is Mandatory for Attorneys)**

An attorney representing a party who is served with this notice must either:

1) immediately record his or her representation within the e-filed matter on the NYSCEF site [www.nycourts.gov/efile](http://www.nycourts.gov/efile) ; or

2) file the Notice of Opt-Out form with the clerk of the court where this action is pending and serve on all parties. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the knowledge to operate such equipment. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at [www.nycourts.gov/efile](http://www.nycourts.gov/efile) or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: [nyscef@nycourts.gov](mailto:nyscef@nycourts.gov)).

Dated: 05/09/2022

**Nissim Abaev, Esq.**

Name  
Abaev Law Firm, PLLC.

Firm Name

1 Linden Place, Suite #405

Great Neck, NY 11021

Address

(718) 207-7671

Phone

vusten@ustenlaw.com

E-Mail

To: Defendant

2/24/20